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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

RELEASED

JAN 7 - 1976

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The Honorable John E. Moss
House of Representatives

Dear Mr. Moss:

On February 27, 1975, you requested that we survey the extent and legality of federally provided protective services for Cabinet-level officials and respond to a number of specific questions. You also requested that our survey include specifically the Secretaries of the Army, Navy, and Air Force; the Commissioner, Internal Revenue Service; the Administrator, Law Enforcement Assistance Administration; and the Administrator, Drug Enforcement Administration. 20, 21, 35
04, 187

We sent questionnaires to 11 executive departments requesting specific information on personal protective services provided to Department, bureau, and agency officials, including top-level officials of any independent agency or commission controlled by the Department. A list of the agencies that we surveyed is enclosed. All Departments provided data for personal protective services within the continental United States, and a few furnished information on protection provided during foreign travel. Several of the agencies' responses required clarification or additional information, which was obtained through discussion with headquarters officials and examination of the agencies' records and files.

6.7
Some information provided by the Departments of the Treasury and Defense was classified. We are, therefore, providing the information you requested in two reports. This report provides data on those questions which can be answered without disclosing information that has been classified by the two Departments. The Department of Defense, however, has specified that the information it furnished for this report is to be retained for official government use. The report provides data on: (1) how many Cabinet members and heads of other entities are receiving protection and the type of protection provided, (2) the source of funds for protection and whether the agency formally requests those funds from the Congress, (3) Federal agencies that have their own police forces which provide the protection for the officials, and (4) the legal basis for the protection. 38, 05

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INDIVIDUALS PROTECTED

Personal protective services were provided to the following officials during fiscal year 1975.

1. Attorney General.
2. Secretary of State.
3. Secretary of the Treasury.
4. Secretary of Defense.
5. Secretary of Agriculture.
6. Secretary of Commerce.
7. Secretary of Health, Education, and Welfare.
8. Secretary of the Interior.
9. Secretary of Transportation.
10. Secretary of Housing and Urban Development.
11. Secretary of the Air Force.
12. Secretary of the Army.
13. Secretary of the Navy.
14. Commissioner of the Internal Revenue Service.

The degree of protection furnished these officials ranged from around-the-clock personal security to occasional escort while traveling or at public appearances.

The Secretary of Labor did not receive personal protection; however, his office is secured by an alarm system.

The Administrators of the Law Enforcement Assistance Administration and the Drug Enforcement Administration received no protection during this period.

More specific information on the type of protection provided each individual is shown in the classified report to you.

SOURCE OF FUNDS

62 Funds were drawn from each Department's appropriation; however, none of the Departments' appropriation requests specifically showed that funds were to be used for this purpose. In hearings before the Subcommittee on the Treasury, Postal Service, and General Government, House Committee on Appropriations, a Department of the Treasury official informed the Subcommittee that Secret Service's fiscal year 1976 budget request included funds for protecting the Secretary of the Treasury. Protective services were funded from various salaries and expenses accounts of the Departments of State, the Treasury, Commerce, Justice, Agriculture, Labor, and Transportation; the operations and maintenance account of the Department of Defense, including military personnel accounts; the working capital fund of the Department of the Interior; the management budget of the Department of Health, Education, and Welfare; and the administrative operating fund of the Department of Housing and Urban Development. HSE 00313

SECURITY FORCES

Each of the executive departments providing personal protection to the Department head, except the Department of Housing and Urban Development, has a "police force" (employees whose duties include providing personal protection). These forces range in size from a few employees to a large agency, such as the United States Secret Service or the Federal Bureau of Investigation. The protection is usually provided by police forces of the respective Departments; however, the incumbent Secretary of State receives protective services from the Secret Service, on a reimbursable basis under provisions of the Economy Act (31 U.S.C. 686). The organizational units responsible for protective services are identified in the enclosure. The Departments of Labor and of Housing and Urban Development do not have forces for protecting their Department heads, although on occasion the Department of Housing and Urban Development has used guards from the Federal Protective Service--a unit of the General Services Administration--to protect some officials while at public meetings.

LEGAL BASIS

Specific statutory authority exists for the Secret Service to protect official representatives of the United States on special missions abroad (18 U.S.C. 3056) and for Department of State security officers to protect the Secretary of State and the Under Secretary of State (22 U.S.C. 2666).

A Decision of the Comptroller General (54 Comp. Gen. 624) concludes that protective services provided the Secretary of the Treasury are authorized if the Secretary is threatened or in danger and the Department determines that the risk is such as to impair his ability to carry out his duties and hence to adversely affect the efficient functioning of the Department.

We asked the remaining agencies to cite the legal authorization for providing protection. The Department of Justice said the Comptroller General's decision is applicable to the protection of the Attorney General. The other Departments could not cite statutory authority for protection, but they gave us several reasons for protecting their Department heads, such as threats of murder, kidnapping, or other violent acts directed against Government officials; possible harassment; demonstrations against the Government; and sit-ins at Government offices. For officials other than the Secretary of State and the Under Secretary of State, there is no specific statutory authority for protection; however, we believe that, if an official has been threatened or there are other indications that he is in danger and if administratively determined that the risk is such as to impair his ability to carry out his duties and hence to adversely affect the efficient functioning of the agency, then agency funds, which are not otherwise restricted, would be available to protect him. This follows from the premise that appropriations are generally available for necessary expenses.

Family members sometimes receive protection when they enter the immediate environment of the protected official. The wife of the Secretary of State has been provided protection for several years, whether or not she is with the Secretary. While there is no specific statutory provision for protecting the wife of the Secretary, we note that the Department disclosed to the Senate Appropriations Committee, in its fiscal year 1974 budget justification, its intention to protect the Secretary and his family "at all times."

Sincerely yours,



Comptroller General
of the United States

Enclosure

ENCLOSURE

ENCLOSURE

PROTECTION SURVEY

<u>Department</u>	<u>Organization providing protection</u>
State	/ Secret Service (for the Secretary) 196 / Department of State's Division of Investigations (for the Secretary's wife)
Treasury (and Internal Revenue Service)	Secret Service / Internal Revenue Service, Internal Security Division, Intelligence Division (support personnel)
Defense (includes Departments of the Army, Navy, and Air Force)	Security Staff, Office of the Secretary / Army Criminal Investigation Command / Naval Investigative Service / Office of Special Investigations
Justice (includes Law Enforcement Assistance Administration and Drug Enforcement Administration)	2 Federal Bureau of Investigation (for the Attorney General only) 102
Interior	Division of Enforcement and Security Management
Commerce	Office of Investigations and Security
Transportation	Investigations and Protection Division
Agriculture	Office of Investigations
Health, Education, and Welfare	Office of Investigations and Security
Housing and Urban Development	No regular protection provided
Labor	No regular protection provided